

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6426 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GAMMERBHAI HARJIBHAI RABARI

Versus

UNION OF INDIA

Appearance:

MR TR MISHRA for Petitioner
MR BHARAT T RAO for Respondent No. 1
MR DARSHAN M PARIKH for Respondent No. 2

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 02/12/98

ORAL JUDGEMENT

1. Rule. Mr.Darshan Parikh waives service of rule on behalf of respondent No.2. Mr.B.T.Rao waives service of rule on behalf of respondent No.1. Heard the Ld.counsel for the parties. Considering the claim made by the petitioner before the Asstt.Labour Commissioner, in his application, dated 30.10.95 and the reply to the

same given by the respondents, dated 8.2.96, in my view the claim of the petitioner is required to be adjudicated.

2. Consequently, this SCA is allowed and the impugned order, dated 11.11.1997 is quashed and set aside. The respondent No.1 is directed to reconsider the case and pass appropriate order within a period of three months from the date of receipt of writ. Rule is made absolute to the aforesaid extent. No costs.

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